

### WISCONSIN BARS OUT FILLED MILK— SUPREME COURT RULES AGAINST "HEBE" AND OTHER MILK COMPOUNDS

By legislation and court decisions the people are winning the fight against all so-called milk compounds. The decision in Wisconsin Supreme Court, July 20, in the now celebrated "Hebe" case brought by the Carnation Milk Products Company and the Hebe Company, upheld the State law forbidding the manufacture and sale of the compounds of skimmed milk and vegetable oil. The Carnation Milk Products Company, plaintiffs in the case, had sought to enjoin J. Q. Emery, dairy and food commissioner, from enforcing the law as against their product known as "Hebe."

This much advertised compound, which the court found to be similar in taste, odor, appearance, consistency and manner of packing to evaporated milk, has been manufactured by the Carnation company and sold to its subsidiary, The Hebe Company, for five years. It has been advertised by certain dealers in the newspapers of Wisconsin as "milk" or "compound of milk"; and has been sold by a number of retailers in Wisconsin as "milk" or "evaporated milk." This and other compounds are shipped out of the State and advertised and sold by many dealers in other States as substitutes for milk. Labels on the cans of some of the compounds suggest that this product is practically equivalent to or better than genuine evaporated milk.

The Supreme Court based the right of Wisconsin to outlaw "Hebe" and other milk compounds on the police power of the State, and declared the law valid for three reasons: (1) Because the law is intended to prevent fraud and deception. (2) Because it protects public health and welfare. (3) Because it promotes the general prosperity by preserving a great industry of the State.

Skimmed milk is all right in its place, it seems, and coconut oil all right in its place, but the mixture lacks the food value of whole milk. The latest investigations of Professor H. Steenbock of the University of Wisconsin prove that when milk is skimmed by the commercial separator only one-tenth of the fat-soluble vitamin is left in the skim milk. Coconut oil has none of this necessary element for child growth.

Justice Charles H. Crownhart, who wrote the decision and the accompanying statement of fact, pointed out that the history of legislation relating to filled milk was most persuasive. "It will be seen," he said, "that the compounds have been considered inimical to public welfare by a large portion of the people of this country." He pointed out that thirty-three States had adopted standards for condensed or evaporated milk; that the manufacture and sale of filled milk had been absolutely prohibited in New Jersey, New York, and Wisconsin; that five other States had prescribed standards for condensed or evaporated milk that in effect prohibit filled milk; and that three States had passed laws which permit filled milk to be sold as "imitation milk." Justice Crownhart found an even more emphatic expression of the people's wishes in the Voight Filled Milk bill now before Congress, which had passed the House 250 to 40.

"The compounds," he said, "are in exact imitation of the genuine evaporated milk. They are produced and sold by the manufacturer cheaper than the genuine. They are susceptible of being sold to the public for the genuine at the same price. They are, therefore, capable of being used for fraudulent purposes and to deceive purchasers. If used as a substitute for milk, the public health may be impaired, not because the compounds are in themselves deleterious, but because they lack in certain food elements essential to a well balanced dietary." The Justice showed himself a master of sarcasm in quoting the advertisements of coconut

oil compounds, which spoke of a "delicious and nutritious new milk product," "Prepared in the rich dairying districts of Indiana and Wisconsin," "animal fats extracted and then enriched with sweet, edible, highly refined coconut oil." "Other advertisements," Justice Crownhart declared, "are equally well calculated to convey the idea to the public that pure, fresh cow's milk from Wisconsin has been enriched and improved by the injection of sweet, edible, highly refined coconut fat."

Justice Crownhart maintained that the power of the State could be exercised for the prosperity and for the "preservation of a great industry of the State against injury in markets outside." He referred to Florida's winning fight to defend her great orange industry.

In regard to Wisconsin's right to protect her dairy industry he said: "The principle of allowing these compounds to be manufactured and sold followed to its logical conclusion will lead from 'filled' milk to 'filled' butter, from 'filled' butter to 'filled' cheese, and finally we have the 'synthetic' cow taking the place of the domestic animal of the farm. A great industry of a State will decline, a victim of 'national advertising' of cheap and deceptive substitutes." Thus the great dairy State of Wisconsin delivered itself mightily in protection of public welfare, and the prosperity of the State by defending its fundamental industry—dairying. Dairy and consumers' interests have taken the fight against the filled milk traffic into the national arena. More than a year ago they put their forces behind a bill introduced by Congressman Edward Voight of Wisconsin, H. R. 8086, prohibiting the movement in interstate and foreign commerce of commercial filled-milk preparations. This bill has passed the Lower House by a vote of 250 to 40, and is now in the Senate, where hearings will be closed by the Committee on Agriculture the week of August 1.

**Abrams and His Methods**—The office of the Journal and of the State Society continues to receive inquiries about the methods of Dr. Albert Abrams. Physicians, of course, are perfectly familiar, through the numerous articles in various medical journals, with Dr. Abrams and his methods. Members of the State Society have been informed before that they can secure the digest of the medical literature upon the subject by applying to the secretary of the American Medical Association, 535 North Dearborn street, Chicago.

That part of the public who are interested in forming their own opinions as to the merits or demerits of the man and his methods, and who are unwilling to "take the advice of physicians" upon the subject, are gradually being informed by various articles in the public press. One of the most exhaustive and drastic criticisms, amounting to a condemnation of the man and his methods, and giving reasons for conclusions, is found in the January number of Hearst's International. The article is by Mr. DeKruif, who has come into considerable prominence recently as a popular writer on medical subjects and medical men.

Physicians, of course, will not lose their sense of humor over this situation.

**Medical Board Examinations**—The National Board of Medical Examiners announces the following dates for its next examinations—Part I—February 12, 13 and 14, 1923; Part II—February 15 and 16, 1923. The fees for these examinations have been continued at the reduced rate for another year. Applications for these examinations must be forwarded not later than January 1, 1923. Application blanks and circulars of information may be obtained from the Secretary of the National Board, Dr. J. S. Redman, Medical Arts Building, Philadelphia, Pa.